

# Notice of Allowability

Application No.

09/612,132

Examiner

Curtis B. Odom

Applicant(s)

NOHLGREN ET AL.

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## -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Amdt filed on 9/8/2004.
2. ☒ The allowed claim(s) is/are 1-3, 5-10, 12, 14-16, and 18-26, which have been renumbered claims 1-22, respectively.
3. ☒ The drawings filed on 07 July 2000 and 12 February 2004 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All    b) ☐ Some\*    c) ☐ None    of the:
  1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## Attachment(s)

- |  |   |
|--|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)   | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)                       |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____. |
| 3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment                               |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material                     | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance              |
|  | 9. <input type="checkbox"/> Other _____.  |

### EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with November 3, 2004 on Roger S. Burleigh.

The application has been amended as follows:

Claim 1 (currently amended). A method for sending information data between at least two transceivers in a telecommunication system, wherein the information data is transmitted from a sending side of a transceiver to a receiving side of one or more other transceivers in the form of digital signals having a given sampling rate, which signals are played out at said receiving side in a controlled way, comprising the following steps:

- a) estimation of a sender's sampling rate at said sending side,
- b) transmitting the estimation to said receiving side, and
- c) controlling the play-out of received data at said receiving side by means of the sampling rate estimated at said sending side to avoid delays in the presentation, wherein the controlling of the play-out of received data at said receiving side by means of the sampling rate estimated at said sending side is carried out by estimation of a receiver's sampling rate at said

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receiving side and performing a compensation of the difference in said estimated sampling rates at said sending and receiving sides by a sample rate conversion method,

wherein the estimation of the sampling rate in step a) is carried out in the form of a calculation based on a time measured between two events and a number of samples that has been sampled between them and wherein a ticking central processing unit (CPU) clock is used to measure the time between two events by:

reading a time value of the CPU clock at two different times;

estimating a number of ticks between the time values; and

calculating an actual time between the events by means of the number of ticks per time unit.

Claim 5 (currently amended). The method of claim 1, characterized in that in said conversion method an amount of samples in the packet frames are changed.

Claim 6 (currently amended). The method of claim 1, characterized in that in step c), the controlling of the play-out of received data at said receiving side by means of the sampling rate estimated at said sending side is carried out by synchronizing the receiver's sampling rate to the sender's sampling rate.

Claim 7 (currently amended). The method of claim 8, characterized in that the synchronization is carried out by means of a phase locked loop (PLL).

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Claim 8 (currently amended). The method of claim 1, characterized in that the method is performed in a two-way communication between at least two transceivers in such a way that an estimation of the sender's sampling rate is performed at the sending side of a first transceiver,

the estimation is transmitted to the receiving side of a second transceiver,

the playing out of the received data is controlled at said receiving side of said second transceiver by means of the sampling rate estimated at said sending side of said first transceiver,

the estimation of the sampling rate estimated at said sending side of the first transceiver is used by said second transceiver in the transmitting of messages from the second transceiver to the first transceiver in the communication between said transceivers.

Claim 9 (currently amended). The method of claim 1, characterized in that it is performed in a two-way communication between at least two transceivers in such a way that an estimation of the sender's sampling rate is performed at the sending side of a first transceiver,

the estimation is transmitted to the receiving side of a second transceiver,

the playing out of the received data is controlled at said receiving side of said second transceiver by means of the sampling rate estimated at said sending side of said first transceiver,

an estimation of the sampling rate of the sending side of said second transceiver is performed at said sending side of said second transceiver,

the estimation of the sampling rate of said sending side of said second transceiver is transmitted to the receiving side of said first transceiver,

and the play-out of the received data is controlled at said receiving side of said first transceiver by means of the sampling rate estimated at said sending side of said second transceiver.

Claim 14 (currently amended). The method of claim 1, characterized in that the time is measured between two time synchronization events.

Claim 20 (currently amended). The method of claim 1, characterized in that the number of ticks per second is calculated as a function of a time difference between two CPU clock values at specific events and a time difference between two reference time values at the same events.

Claim 21 (currently amended). The method of claim 1, characterized in that the number of ticks per second is calculated as a moving average of a last few estimations.

Claim 24 (currently amended). The method of claim 23, characterized in that the estimation is carried out by means of a time difference between time values at two synchronization events and the time difference between two reference time values at the same events.

Claim 25 (currently amended). The method of claim 1, characterized in that the estimation in step a) is carried out by means of a moving average of a last few estimations.

### **EXAMINER'S STATEMENTS OF REASONS FOR ALLOWANCE**

2. The following is an examiner's statement of reasons for allowance: Claims 1-3, 5-10, 12, 14-16, and 18-26, which have been renumbered claims 1-22, respectively, are allowable over prior art references because related references do not disclose estimating a sampling rate at a first device; transmitting the estimation to a second device; performing a compensation of the difference between the sampling rates of the first and second device using a sampling rate conversion method, wherein the estimation is carried out using a ticking central processing unit to measure the time between two events by measuring a number of ticks per time unit.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***


3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Curtis B. Odom whose telephone number is 571-272-3046. The examiner can normally be reached on Monday- Friday, 8-5.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Chin can be reached on 571-272-3056. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Curtis Odom  
November 4, 2004



**STEPHEN CHIN**  
**SUPERVISORY PATENT EXAMINER**  
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